

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA

CITY OF CHARLOTTESVILLE ET AL. : Case No. 3:17CV00078

Plaintiff : Judge

:

-v-

PENNSYLVANIA LIGHTFOOT MILITIA ET AL.:

:

Defendants

NOTICE OF REMOVAL

Defendant Jason Kessler hereby gives notice, pursuant to 28 U.S.C. § 1441 and 1446, of the removal of this action from the Charlottesville Circuit Court, where it was assigned Civil Case No. CL17000560, to this Court. As grounds defendant avers that this action involves this Defendant's rights under the Constitution and Laws of the United States, including, but not limited to, their rights under the First, Second, and Fourteenth Amendments, to wit:

(a) The Plaintiffs have filed suit asking the Circuit Court of Charlottesville to

enjoin and/or suspend Defendant's rights to free expression, to peaceably assemble, and to petition the government for redress of their grievances in violation of this Circuit's holdings regarding the "heckler's veto."

b) By filing suit as set forth above, Plaintiffs are attempting to violate the Defendant's substantive due process rights by denying and restricting fundamental rights to bodily integrity, self-defense, and the right to keep and bear arms.

Accordingly, this case arises under federal law and may be removed without regard to citizenship or residence of the parties. The removing defendant is the only served and properly joined defendant at this point and has filed his notice of removal within 30 days of being served.

Respectfully Submitted,

s/ Elmer Woodard
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Trial Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify this Notice and all accompanying documents were served via electronic mail on October 26, 2017 upon:

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s/ Elmer Woodard

E. Woodard (VSB 27734)